

I, Linda Ruhl, in my capacity as Deputy Village Clerk for the Village of North Aurora, Kane County, Illinois do hereby certify that the attached is a true and correct copy of:

RESOLUTION NO. 05-07-25-01

Resolution Regarding the Riverwoods Townhome Development

As it appears in the records of the Village of North Aurora, Kane County, Illinois, of which records I am the custodian.


Linda Ruhl, Deputy Village Clerk



RETURN TO:

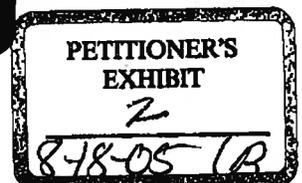
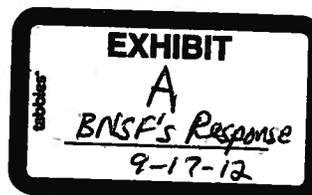
Linda Ruhl
Village of North Aurora
North Aurora, IL 60542
25 E. State Street

PREPARED BY:

Kevin Drendel
Attorney at Law
Batavia, IL 60510
201 Houston

OFFICIAL FILE

ILL. C. C. DOCUMENT NO. T05-0013
Petitioner's 2
Witness _____
Date 8-18-05 Registrar hLB



RESOLUTION NO. R15-07-25-01

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE
VILLAGE OF NORTH AURORA REGARDING
THE RIVERWOODS TOWNHOME DEVELOPMENT**

WHEREAS, the Village Board has approved a rezoning of the Sperry property immediately north of the Village Hall property and approved a Redevelopment Agreement and preliminary plats; and

WHEREAS, a final plat has been tendered for approval; and

WHEREAS, the development of the property is depended upon the approval of a public crossing over the BNSF Railroad track as indicated on the proposed final plat; and

WHEREAS, a hearing is pending in front of the Illinois Industrial Commerce Commission for the approval of that public crossing; and

WHEREAS, the North Aurora Village Board has already approved the proposed plan that would include a dedication of the entry road from the intersection of Route 25 to a point just west of the railroad tracks, including the crossing over the tracks, as part of the Redevelopment Agreement and Plan Unit Development for the project.

WHEREAS, NOW, THEREFORE, be it resolved by the President and the Board of Trustees of the Village of North Aurora, Kane County, Illinois, as follows:

1. The recitals set forth above are incorporated herein as the material findings of the President and the Board of Trustees.

2. The final plat for the Riverwood's Townhome project is hereby approved subject to the following conditions precedent:

A. That the Developer succeeds in obtaining approval from the Illinois

Industrial Commerce Commission of the Public Road Crossing over the BNSF Railroad tracks at the place indicated in the final plat

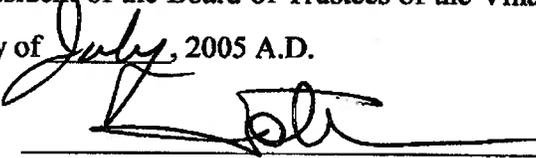
3. If the condition precedent is not met, then the approval of the final plat shall be null and void.
4. The final plat shall not be signed or recorded by the Village unless and until the conditions precedent is met.
5. This Resolution shall take full force and effect from and after its passage.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois this 25 day of July, 2005 A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois this 25 day of July, 2005 A.D.

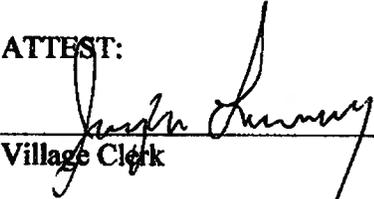
Dale Berman	<u>Aye</u>	Michael Herlihy III	<u>Aye</u>
Mark Gaffino	<u>Aye</u>	Max Herwig	<u>Aye</u>
Linda Mitchell	<u>Aye</u>	Paul Shoemaker	<u>Aye</u>

Approved and signed by me as President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois this 25 day of July, 2005 A.D.



Village President

ATTEST:



Village Clerk

***** NOTE **** NOTE ***** FOR INTERNAL USE ONLY ***** NOTE **** NOTE *****

LOCATION	: N AURORA	LINE SEGMENT	: 65	AFE NUMBER	:
PLANITEM NUMBER	: PS1069689D	MILEPOST	: 0003.00 TO 0004.00	RFA NUMBER	:
PROPERTY OF	: BNSF RAILWAY COMPANY	DIVISION	: CH	CPAR NUMBER	:
OPERATED BY	: BNSF RAILWAY COMPANY	SUBDIVISION	: AURORA-W CHICAG	BUDGET YEAR	: 2005
JOINT FACILITY	: STATE OF ILLINOIS	ENGR. DIVISION	: CHICAGO EAST	BUDGET CLASS	: 10
% BILLABLE (+/-)	: 100.00	TAX STATE	: IL COUNTY: KANE	REPORTING OFFICE	: 455
REQUESTER ID	: Q890 - JEROMY HOUCHIN	MATL DATE	:	SPONSOR	: VP ENGIN
PROJECT TYPE	: PIP	LOCATION CODE	: 383252	DEPT CODE	: MOWGH
DOT NUMBER	: 069689D	TRACK TYPE	: 1	DERAILMENT CODE	:

PURPOSE, JUSTIFICATION AND DESCRIPTION

INSTALL CONSTANT WARNING AND FLASHERS WITH GATES AT RIVERWOODS LANE IN NORTH AURORA, IL.
CHICAGO DIV., AURORA-WEST CHICAGO SUBDIV., L/S 0065, M.P. 3.40, DOT # 068689D.

MONTHLY POWER UTILITY COST CENTER : ?????

THE MATERIAL LIST BELOW REFLECTS TYPICAL REPRESENTATIVE PACKAGES USED FOR ESTIMATING PURPOSE ONLY.

THEY CAN BE EXPECTED TO CHANGE AFTER THE ENGINEERING PROCESS. DETAILED AND ACCURATE MATERIAL LISTS WILL BE FURNISHED WHEN ENGINEERING IS COMPLETED.

CONTINUING CONTRACTS HAVE BEEN ESTABLISHED FOR PORTIONS OF SIGNAL WORK ON THE BNSF RAILROAD.

THIS ESTIMATE IS GOOD FOR 90 DAYS. THEREAFTER THE ESTIMATE IS SUBJECT TO CHANGE IN COST FOR LABOR, MATERIAL, AND OVERHEAD.

***** SIGNAL WORK ONLY *****

THE STATE OF ILLINOIS IS FUNDING 100% OF THIS PROJECT.

MAINTAIN PROPRIETARY CONFIDENTIALITY.

***** NOTE **** NOTE ***** FOR INTERNAL USE ONLY ***** NOTE **** NOTE *****

	CASH	CAPITAL	NONCASH	CAPITAL	OPERATING EXP	REMOVAL COST	BILLABLE	TOTALS
LABOR COSTS	0		0		0	0	52,782	52,782
MATERIAL COSTS	0		0		0	0	70,981	70,981
OTHER COSTS	0		0		0	0	54,237	54,237
TOTALS	0		0		0	0	178,000	178,000

ENGINEERING SERVICES - KANSAS CITY
ESTIMATE REF. NUMBER : PS1069689D - 1--2S
COSTING DATE : 04/15/2005

PRINTED ON : 04/15/2005
ESTIMATED BY : HETHERINGTON
PRINTED BY : HETHERINGTON

OFFICIAL FILE

- C. C. DOCKET NO. T05-0013

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- RJR-DC - 602



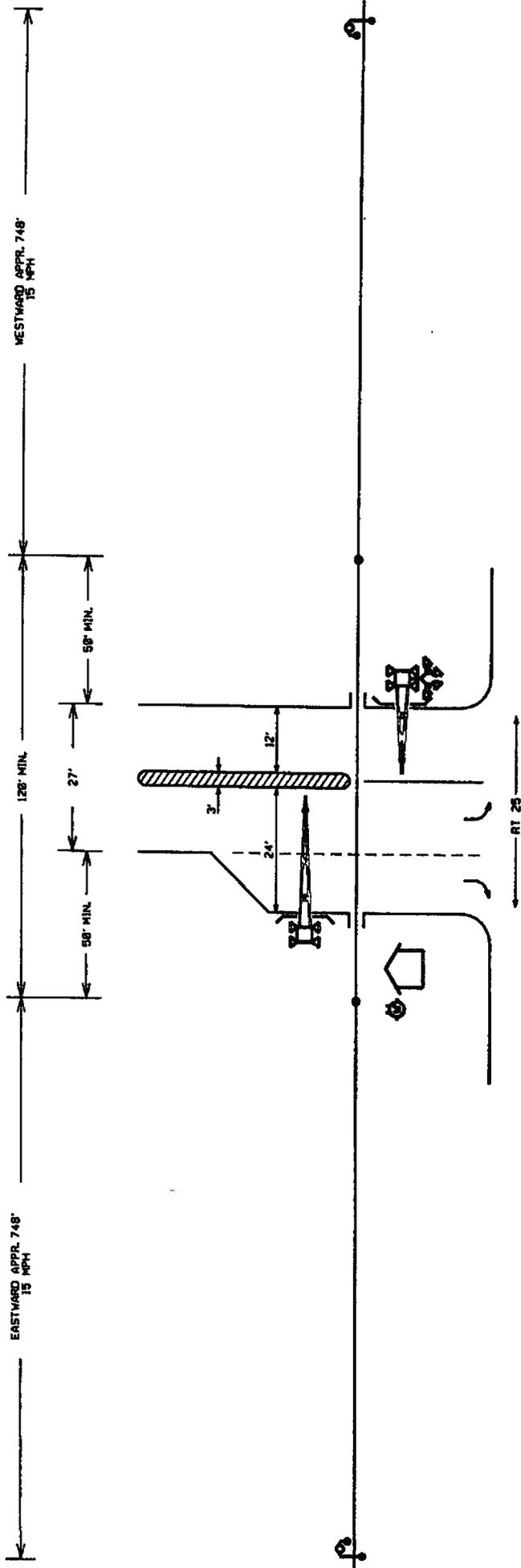
ACCT	CST	RSN	PPE	DESCRIPTION	QTY/ST	OT U/M	CASH	NONCASH	OPER	REMOVAL
8		400	9911	SIGNAL FIELD LABOR - CAP	672.00	0.0 MH	14,306			
* LABOR SUBTOTAL							14,306	0	0	0
1120	313	400	9911	1 TRACK SIGN W/BRACKET	2.0	EA N	230			
1120	313	400	9911	BATTERY	1.0	LS N	4,203			
1120	313	400	9911	BUNGALOW 6X6	1.0	EA N	5,450			
1120	313	400	9911	BUNGALOW MATERIAL	1.0	LS N	4,902			
1120	313	400	9911	CABLE	1.0	LS N	2,500			
1120	313	400	9911	CHARGERS	1.0	LS N	910			
1120	313	400	9911	CONDUIT, PVC 4", SCH 80	60.0	FT N	234			
1120	313	400	9911	CONSTANT WARNING	1.0	EA N	13,015			
1120	313	400	9911	FIELD MATERIAL	1.0	LS N	3,956			
1120	313	400	9911	FOUNDATION	2.0	EA N	870			
1120	313	400	9911	GATE KEEPER	2.0	EA N	3,550			
1120	313	400	9911	GATE MECH. MODEL 95	2.0	EA N	9,984			
1120	313	400	9911	LAMP RESISTOR	1.0	EA N	761			
1120	313	400	9911	LED LIGHT ADJUSTMENT	12.0	EA N	3,048			
1120	313	400	9911	LED LIGHT GATE KIT	2.0	EA N	732			
1120	313	400	9911	LIGHT OUT DETECTOR	1.0	EA N	682			
1120	313	400	9911	MISC MATERIAL	1.0	LS N	2,500			
1120	313	400	9911	RECORDER	1.0	EA N	2,220			
1120	313	400	9911	RTU-6, CELLULAR MONITOR	1.0	EA N	2,060			
1120	313	400	9911	SHUNT, NBS	4.0	EA N	1,196			
1120	313	400	9911	SIDELIGHT ASSEMBLY - 1 WAY	2.0	EA N	1,450			
* MATERIAL SUBTOTAL							64,353	0	0	0
1120	367	400	9911	CONTRACT ENGR.	1.0	EA N	6,000			
1120	434	400	9911	DIRECTIONAL BORING	1.0	LS N	25,000			
1120	790	400	9911	FILL DIRT	25.0	CY N	625			
1120	790	400	9911	SURFACE ROCK	25.0	CY N	625			
* OTHER SUBTOTAL							32,250	0	0	0
* ADDITIVES										
				PAYROLL ASSOCIATED COSTS			11,540			
				EQUIPMENT EXPENSES			3,582			
				DA LABOR OVERHEADS			12,881			
				INSURANCE EXPENSES			2,256			
				USE TAX			4,215			
				OFFLINE TRANSPORTATION			797			
* GANG TOTAL							146,180	0	0	0
8		400	9911	SIGNAL SHOP LABOR - CAP	64.00	0.0 MH	1,412			
* LABOR SUBTOTAL							1,412	0	0	0
* ADDITIVES										
				PAYROLL ASSOCIATED COSTS			1,139			
				EQUIPMENT EXPENSES			353			
				DA LABOR OVERHEADS			1,271			
				INSURANCE EXPENSES			222			
* GANG TOTAL							4,397	0	0	0
8		365	9919	ELECTRICAL LABOR - SHOPS - CAP	54.00	0.0 MH	1,227			
* LABOR SUBTOTAL							1,227	0	0	0
1120	319	410		MATERIAL FOR ELECTRICAL	1.0	LS N	1,500			
* MATERIAL SUBTOTAL							1,500	0	0	0
1120	410	400	9911	AC POWER SERVICE	1.0	LS	5,000			
* OTHER SUBTOTAL							5,000	0	0	0
* ADDITIVES										
				PAYROLL ASSOCIATED COSTS			989			
				EQUIPMENT EXPENSES			307			
				DA LABOR OVERHEADS			1,104			
				INSURANCE EXPENSES			193			
				USE TAX			98			
				OFFLINE TRANSPORTATION			18			

ACCT	CST	RSN	PPE	DESCRIPTION	QTY/ST	OT U/M	CASH	NONCASH	OPER	REMOVAL
* GANG TOTAL				ELECGANG-1M - ELECTRICAL GANG, 1 MAN			10,436	0	0	0
PROJECT SUBTOTAL							161,013	0	0	0
CONTINGENCIES							16,101	0	0	0
BILL PREPARATION FEE							886	0	0	0
PROJECT GROSS COST							178,000	0	0	0
LESS COST PAID BY OTHERS							178,000	0	0	0
PROJECT NET COST							0	0	0	0

The Burlington Northern & Santa Fe Railway Company

TO W. CHICAGO

TO AURORA



RIVERWOODS LANE
DOT # 069 689 D

INSTALL: GATES & FLASHERS
CONTROL DEVICES: CONSTANT WARNING

BOLD - IN

- OUT

SALVAGE: NONE

- INSTRUMENT HOUSE
- BELL
- METER
- CROSSING CONTROL CONNECTIONS
- BIDIRECTIONAL CROSSING CONTROL
- UNIDIRECTIONAL CROSSING CONTROL
- COUPLER OR TERMINATION
- GUARD RAIL

Warning device placement:
Clearance to C.L. Track = Min. 12', Max. 20'
Edge of Road to C.L. Foundations
Min. 4'3" with curb,
Min. 8'3" without curb,
Max. 12'
House Clearance:
25' Min. to Near Rail
30' Min. to Edge of Road
ALL LIGHTS TO BE LED

BNSF RAILWAY CO.
NORTH AURORA, IL.
RIVERWOODS LANE
LS: 0065
M.P. 3.40
DOT # 069 689 D
DIVISION CHICAGO
SUBDIVISION CHICAGO-AURORA
KANSAS CITY
NO SCALE
DATE: 04/18/05
C.H.E. AMERICAN A.R.J.

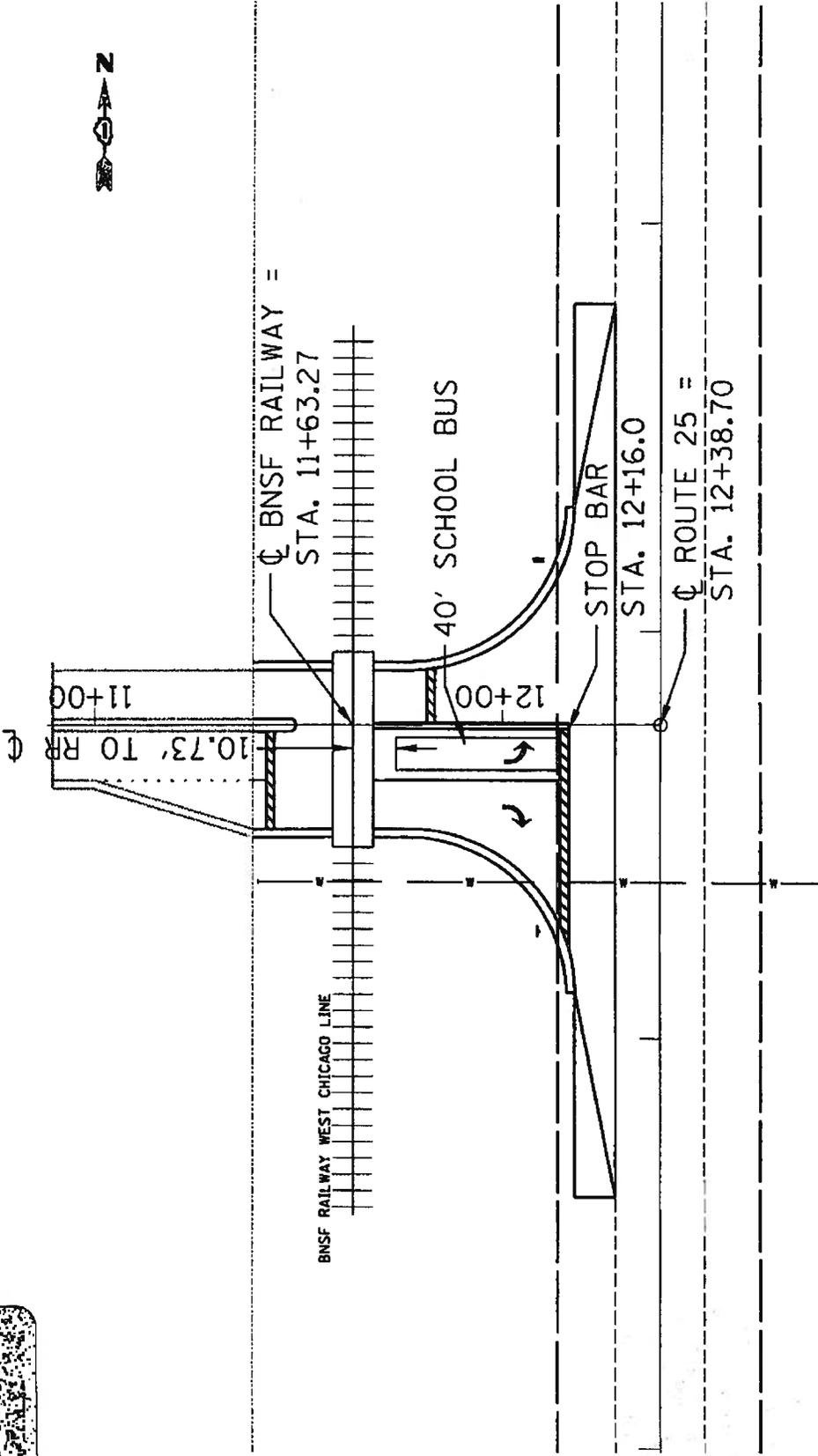
OFFICIAL FILE

ILL. C. C. DOCKET NO. 105-00B

Respondent's Exhibit No. 3

Witness _____

Date 5-18-05 Reporter hllb



SCALE 1"=40'

EXHIBIT A
 RIVERWOODS LANE
 BNSF CROSSING
 BUS CLEARANCE
 DRAWING NO. 9553.A0-2

RIVER WOODS NORTH AURORA LLC
 RIVER WOODS ON THE FOX
 DEVELOPMENT

PATRICK
 ENGINEERING INC.

SEE
FORMAL
FILE
FOR
ENGINEERING
PLANS